

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICODOCKET NUMBER (Tran Court)
3:08CR00162-001

DOCKET NUMBER (Rec Court)

11-CK-2324 JH

Prob 22
(2/98)TRANSFER OF JURISDICTION AUG 25 2011
mesNAME AND ADDRESS OF PROBATION/SUPERVISED
RELEASEE:

MATT

DISTRICT

Western District North Carolina

HEW J. DYKMAN

NAME OF SENTENCING JUDGE

Honorable Frank D. Whitney

Jacob Kline
611 Gral Trevino Drive
Rio Rancho, New Mexico 87124

DATES OF PROB/TSR RELEASE

FROM

03/19/2009

TO

03/18/2014

OFFENSE

Interfere with Flight Crew Members and Attendants, in violation of 49 U.S.C. 46504

FILED
CHARLOTTE, NC

AUG 19 2011

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

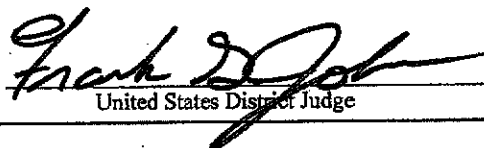
PART 1 - ORDER TRANSFERRING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the DISTRICT OF NEW MEXICO upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*

7-6-11

Date


United States District Judge

* This sentence may be deleted in the discretion of the transferring Court.

PART 2 - ORDER ACCEPTING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

7/21/11

Date


United States District Judge

Certified to be a true and
correct copy of the original.

U.S. District Court

Frank G. Johns, Clerk

Western District of N.C.


Deputy Clerk

Date 8/22/11

FILED
CHARLOTTE, NC

JUL 28 2008

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA)

DOCKET NO. 3:08CR 162 FDW

v.)

BILL OF INFORMATION

Violation:

49 U.S.C. § 46504

JACOB A. KLINE)

THE UNITED STATES ATTORNEY CHARGES:

At the specified times and at all relevant times:

COUNT ONE

1. On or about June 24, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, the defendant,

JACOB A. KLINE

did, as an individual on an aircraft in the special aircraft jurisdiction of the United States, assault a flight attendant of the aircraft, interfere with the performance of the duties of a flight crew member and flight attendant of the aircraft, and lessen the ability of a flight crew member and flight attendant of the aircraft to perform their duties, in violation of Title 49, United States Code, Section 46504.

GRETCHEN C.F. SHAPPERT
UNITED STATES ATTORNEY

[Signature]
MATTHEW T. MARTENS
ASSISTANT UNITED STATES ATTORNEY

Certified to be a true and
correct copy of the original.

U.S. District Court
Frank G. Johns, Clerk
Western District of N.C.

By *[Signature]*
Deputy Clerk
Date 8/22/11

United States District Court
For The Western District of North Carolina

UNITED STATES OF AMERICA

V.

JACOB A. KLINE

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: DNCW308CR000162-001

USM Number: 23065-058

Matthew Pruden

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) 1.
☐ Pled nolo contendere to count(s) which was accepted by the court.
☐ Was found guilty on count(s) after a plea of not guilty.

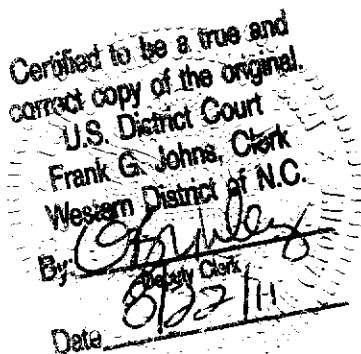
ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Counts</u>
49:46504	Interference with Flight Crew Members and Attendants	June 24, 2008	1


The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984, United States v. Booker, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a).

- ☐ The defendant has been found not guilty on count(s) .
☐ Count(s) (is)(are) dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.



Date of Imposition of Sentence: March 19, 2009


 Frank D. Whitney
 United States District Judge

Date: March 30, 2009

Defendant: JACOB A. KLINE
Case Number: DNCW308CR000162-001

Judgment-Page 2 of 4

PROBATION

The defendant shall be on probation for a term of FIVE (5) YEARS with FOUR (4) NIGHTS in custody at the Albuquerque County Jail to commence at the close of defendant's business each Saturday and conclude at 12 noon on Sunday for four consecutive weeks.

The condition for mandatory drug testing is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.

STANDARD CONDITIONS OF SUPERVISION

The defendant shall comply with the standard conditions that have been adopted by this court and any additional conditions ordered.

1. The defendant shall not commit another federal, state, or local crime.
2. The defendant shall refrain from possessing a firearm, destructive device, or other dangerous weapon.
3. The defendant shall pay any financial obligation imposed by this judgment remaining unpaid as of the commencement of the sentence of probation or the term of supervised release on a schedule to be established by the court.
4. The defendant shall provide access to any personal or business financial information as requested by the probation officer.
5. The defendant shall not acquire any new lines of credit unless authorized to do so in advance by the probation officer.
6. The defendant shall not leave the Western District of North Carolina without the permission of the Court or probation officer.
7. The defendant shall report in person to the probation officer as directed by the Court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
8. A defendant on supervised release shall report in person to the probation officer in the district to which he or she is released within 72 hours of release from custody of the Bureau of Prisons.
9. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
10. The defendant shall support his or her dependents and meet other family responsibilities.
11. The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other activities authorized by the probation officer.
12. The defendant shall notify the probation officer within 72 hours of any change in residence or employment.
13. The defendant shall refrain from excessive use of alcohol and shall not unlawfully purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as duly prescribed by a licensed physician.
14. The defendant shall participate in a program of testing and treatment or both for substance abuse if directed to do so by the probation officer, until such time as the defendant is released from the program by the probation officer; provided, however, that defendant shall submit to a drug test within 15 days of release on probation or supervised release and at least two periodic drug tests thereafter for use of any controlled substance, subject to the provisions of 18:3563(a)(5) or 18:3583(d), respectively.
15. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
16. The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
17. The defendant shall submit his person, residence, office or vehicle to a search, from time to time, conducted by any U.S. Probation Officer and such other law enforcement personnel as the probation officer may deem advisable, without a warrant; and failure to submit to such a search may be grounds for revocation of probation or supervised release. The defendant shall warn other residents or occupants that such premises or vehicle may be subject to searches pursuant to this condition.
18. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed by the probation officer.
19. The defendant shall notify the probation officer within 72 hours of defendant's being arrested or questioned by a law enforcement officer.
20. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the Court.
21. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
22. If the instant offense was committed on or after 4/24/96, the defendant shall notify the probation officer of any material changes in defendant's economic circumstances which may affect the defendant's ability to pay any monetary penalty.
23. If home confinement (home detention, home incarceration or curfew) is included you may be required to pay all or part of the cost of the electronic monitoring or other location verification system program based upon your ability to pay as determined by the probation officer.
24. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

ADDITIONAL CONDITIONS:

25. Defendant is prohibited from consuming alcohol other than for medical purposes.
26. Defendant shall not travel on a commercial airplane, domestic or international, for a period of three (3) years.
27. Defendant shall submit, at his own expense, to a Substance Abuse Program approved by the US Probation Office.
28. Defendant shall perform one hundred (100) hours of community service as directed by the US Probation Office.

Defendant: JACOB A. KLINE
Case Number: DNCW308CR000162-001

Judgment-Page 3 of 4**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the Schedule of Payments.

ASSESSMENT	FINE	RESTITUTION
\$100.00	\$0.00	\$0.00

FINE

The defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

- ☒ The court has determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☒ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

COURT APPOINTED COUNSEL FEES

- ☐ The defendant shall pay court appointed counsel fees.
- ☐ The defendant shall pay \$_____ Towards court appointed fees.

Defendant: JACOB A. KLINE
Case Number: DNCW308CR000162-001

Judgment-Page 4 of 4

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☐ Lump sum payment of \$ _____ Due immediately, balance due
- Not later than _____, or
- In accordance ☐ (C), ☐ (D) below; or
- B ☒ Payment to begin immediately (may be combined with ☐ (C), ☐ (D) below); or
- C ☐ Payment in equal _____ (E.g. weekly, monthly, quarterly) installments of \$ _____ To commence _____
_____ (E.g. 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (E.g. weekly, monthly, quarterly) installments of \$ _____ To commence _____
_____ (E.g. 30 or 60 days) after release from imprisonment to a term of supervision. In the event the entire amount of criminal monetary penalties imposed is not paid prior to the commencement of supervision, the U.S. Probation Officer shall pursue collection of the amount due, and may request the court to establish or modify a payment schedule if appropriate 18 U.S.C. § 3572.

Special instructions regarding the payment of criminal monetary penalties:

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court costs:
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments are to be made to the United States District Court Clerk, 401 West Trade Street, Room 210, Charlotte, NC 28202, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program. All criminal monetary penalty payments are to be made as directed by the court.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest, (7) penalties, and (8) costs, including cost of prosecution and court costs.

**U.S. District Court
Western District of North Carolina (Charlotte)
CRIMINAL DOCKET FOR CASE #: 3:08-cr-00162-FDW All Defendants**

Case title: USA v. Kline
Magistrate judge case number: 3:08-mj-00144-DCK

Date Filed: 07/28/2008
Date Terminated: 03/19/2009

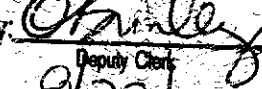
Assigned to: District Judge Frank D.
Whitney

Defendant (1)

Jacob Anthony Kline
TERMINATED: 03/19/2009

represented by **C. Melissa Owen**
Tin, Fulton, Walker & Owen
301 East Park Avenue
Charlotte, NC 28203
704-338-1220
Fax: 704-338-1312
Email: cmowen@tinfulton.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Certified to be a true and
correct copy of the original.
U.S. District Court
Frank G. Johns, Clerk
Western District of N.C.

By: 
Deputy Clerk
Date: 8/22/11

Noell P. Tin
Tin Fulton Walker & Owen, PLLC
301 East Park Avenue
Charlotte, NC 28203
704-338-1220
Fax: 704-338-1312
Email: ntin@tinfulton.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Matthew G. Pruden
301 E. Park Avenue
Charlotte, NC 28203
704-338-1220
Fax: 704-338-1312
Email: mpruden@tinfulton.com
ATTORNEY TO BE NOTICED

Pending Counts

INTERFERENCE WITH FLIGHT
CREW MEMBERS AND
ATTENDANTS
(1)

Disposition

5 yrs Probation; \$100 Assessment

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

49:46504.F

Disposition

Plaintiff

USA

represented by **Matthew Theodore Martens**
 U.S. Securities and Exchange
 Commission
 100 F Street, NC
 Washington, DC 20549
 202-551-4481
 Email: lorraine.simpson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/25/2008	<u>1</u>	COMPLAINT as to Jacob Anthony Kline (1). (mga) [3:08-mj-00144-DCK] (Entered: 06/25/2008)
06/25/2008	<u>2</u>	Arrest Warrant Issued (<i>Sealed Court</i>) by Magistrate Judge David Keesler in case as to Jacob Anthony Kline. (mga) [3:08-mj-00144-DCK] (Entered: 06/25/2008)
06/26/2008		Arrest of Jacob Anthony Kline (mga) [3:08-mj-00144-DCK] (Entered: 06/26/2008)
06/26/2008		Minute Entry: Initial Appearance as to Jacob Anthony Kline held on 6/26/2008. for proceedings held before Judge Magistrate Judge David Keesler:Government attorney: Matthew Martens. Defendant attorney: Steve Slawinski. (Court Reporter FTR) (mga) [3:08-mj-00144-DCK] (Entered: 06/26/2008)
06/26/2008	<u>3</u>	Appearance Bond Entered (<i>Restricted</i>) as to Jacob Anthony Kline in amount of \$ 25,000 unsecured,. Signed by Magistrate Judge David Keesler on 6/26/08. (mga) [3:08-mj-00144-DCK] (Entered: 06/26/2008)
06/26/2008	<u>4</u>	ORDER (<i>Restricted</i>)Setting Conditions of Release as to Jacob Anthony

		Kline (1) 25,000 unsecured. Signed by Magistrate Judge David Keesler on 6/26/08. (mga) [3:08-mj-00144-DCK] (Entered: 06/26/2008)
07/08/2008		Attorney update in case as to Jacob Anthony Kline. Attorney Noell P. Tin for Jacob Anthony Kline, C. Melissa Owen for Jacob Anthony Kline added per phone conversation with Matthew Pruden. (tob) [3:08-mj-00144-DCK] (Entered: 07/08/2008)
07/08/2008		NOTICE OF HEARING as to Jacob Anthony Kline: Preliminary Examination set for 7/17/2008 09:50 AM in Magistrate Courtroom, 401 W Trade, Charlotte, NC 28202 before Magistrate Judge Carl Horn III. <i>This is your only notice - you will not receive a separate document.</i> (tob) [3:08-mj-00144-DCK] (Entered: 07/08/2008)
07/09/2008	<u>5</u>	Arrest Warrant Returned Executed on 6/25/2008 in case as to Jacob Anthony Kline. (klg) [3:08-mj-00144-DCK] (Entered: 07/11/2008)
07/10/2008	<u>6</u>	WAIVER of Preliminary Examination or Hearing by Jacob Anthony Kline (tob) [3:08-mj-00144-DCK] (Entered: 07/11/2008)
07/28/2008	<u>7</u>	INFORMATION as to Jacob Anthony Kline (1) count(s) 1. (klg) (Entered: 07/28/2008)
07/28/2008	<u>8</u>	PLEA AGREEMENT (<i>Restricted</i>) as to Jacob Anthony Kline (klg) (Entered: 07/28/2008)
08/12/2008		NOTICE OF HEARING as to Jacob Anthony Kline: Plea Hearing set for 8/21/2008 10:30 AM in Magistrate Courtroom, 401 W Trade, Charlotte, NC 28202 before Magistrate Judge David Keesler. <i>This is your only notice - you will not receive a separate document.</i> (mga) (Entered: 08/12/2008)
08/20/2008		NOTICE OF HEARING as to Jacob Anthony Kline: Plea Hearing reset for 8/27/2008 09:50 AM in Magistrate Courtroom, 401 W Trade, Charlotte, NC 28202 before Magistrate Judge David Keesler. <i>This is your only notice - you will not receive a separate document.</i> (mga) (Entered: 08/20/2008)
08/26/2008	<u>9</u>	NOTICE OF ATTORNEY APPEARANCE: Matthew G. Pruden appearing for Jacob Anthony Kline (Pruden, Matthew) (Entered: 08/26/2008)
08/27/2008	<u>10</u>	WAIVER OF INDICTMENT by Jacob Anthony Kline (mga) (Entered: 08/28/2008)
08/27/2008		Minute Entry: PLEA HEARING as to Jacob Anthony Kline held before Magistrate Judge David Keesler. Defendant sworn and advised of rights and charges. Court reviews plea agreement. Plea Entered by Jacob Anthony Kline (1) Guilty Count 1. Plea accepted. Government attorney: Matthew Martens. Defendant attorney: Matthew Pruden. Court Reporter FTR. (mga) (Entered: 08/28/2008)
08/27/2008	<u>11</u>	ACCEPTANCE and entry of Guilty Plea as to Jacob Anthony Kline signed by District Judge Frank D. Whitney. (mga) (Entered: 08/28/2008)
10/02/2008	<u>12</u>	PRESENTENCE INVESTIGATION REPORT (Draft Report) (<i>SEALED - government and defense counsel</i>) as to Jacob Anthony Kline. Objections to

		PSI due 10/20/2008. (available to Jacob Anthony Kline, USA) (Bosserman, Darienne) (Entered: 10/02/2008)
10/15/2008	<u>13</u>	OBJECTION TO PRESENTENCE INVESTIGATION REPORT (<i>Sealed - Attorney</i>) by Jacob Kline; (available to: Jacob Anthony Kline, USA) (Pruden, Matthew) (Entered: 10/15/2008)
10/20/2008	<u>14</u>	PRESENTENCE INVESTIGATION REPORT (Final Report) (<i>SEALED - government and defense counsel</i>) as to Jacob Anthony Kline. (available to Jacob Anthony Kline, USA) Schedule for Sentence on or after 11/10/2008 (Bosserman, Darienne) (Entered: 10/20/2008)
10/20/2008	<u>15</u>	PRESENTENCE INVESTIGATION REPORT (Recommendation) (<i>SEALED - Court</i>) as to Jacob Anthony Kline (Bosserman, Darienne) (Entered: 10/20/2008)
03/09/2009		NOTICE OF HEARING as to Jacob Anthony Kline: Sentencing set for 3/19/2009 09:45 AM in Courtroom 1, 401 W Trade St, Charlotte, NC 28202 before District Judge Frank D. Whitney. All parties are directed to appear 15 minutes prior to the scheduled hearing. This is your only notice - you will not receive a separate document. (clc) (Entered: 03/09/2009)
03/12/2009	<u>16</u>	SEALED SENTENCING MEMORANDUM (<i>Sealed - Attorney</i>) by Jacob Kline; (available to: Jacob Anthony Kline, USA) (Attachments: # 1 Exhibit A-I, # 2 Exhibit Letters in Support)(Pruden, Matthew) (Entered: 03/12/2009)
03/19/2009		Minute Entry: SENTENCING as to Jacob Anthony Kline held before District Judge Frank D. Whitney. Factual Basis Found. Government attorney: Matthew Martens. Defendant attorney: Matthew Pruden. Court Reporter Joy Kelly. (clc) (Entered: 03/24/2009)
03/30/2009	<u>17</u>	JUDGMENT as to Jacob Anthony Kline (1), Count(s) 1, 5 yrs Probation; \$100 Assessment. Signed by District Judge Frank D. Whitney on 3/30/09. (clc) (Entered: 03/30/2009)
03/30/2009	<u>18</u>	STATEMENT OF REASONS (<i>Sealed - Attorney</i>) re: 17 Judgment (available to: Jacob Anthony Kline, USA). Signed by District Judge Frank D. Whitney on 3/30/09. (clc) (Entered: 03/30/2009)
08/19/2011	<u>19</u>	Probation Jurisdiction Transferred to District of New Mexico as to Jacob Anthony Kline. Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment and docket sheet. (gpb) (Entered: 08/22/2011)

08/19/2011 02:52 PM EDT

Version 7.0.1 Page 1 of 1

U.S. Courts Case Inquiry Report

Case Number DNCW308CR000162 Case Title USA V KLINE

Summary Party Information:

Party#	Party Name	Debt Type
001	JACOB A KLINE	SPECIAL PENALTY ASSESSMENT

Total Owed	Total Collected	Total Outstanding
100.00	100.00	0.00
100.00	100.00	0.00

Registry Information:

Depository Code Depository Name

Transaction Information:

Document Type/Number*	Document Date	Accomplished Date	Line Type	Payee Line#	Amount	Party/Payee Name	Doc Actn	Trans Type	Fund
CT CHD004886	06/12/2009	06/15/2009	PR		100.00	JACOB A KLINE	O	04	504100
DNCW308CR000162-001	1								

* Document Type Legend

Document Type	Document Type Name
CT	Cash Receipt - CCA Automated

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
WESTERN DISTRICT OF NORTH CAROLINA

Frank G. Johns
Clerk

Terry Leitner
Chief Deputy

Telephone - (704) 350-7400
FAX - (704) 344-6703

August 22, 2011

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

AUG 25 2011

mg
MATTHEW J. DYKMAN
CLERK

Clerk of Court
District of New Mexico
333 Lomas N.W. Ste 270
Albuquerque, NM 87102

Re: Transfer of Case
Case No: WDNC 3:08-cr-162-001
Case Title: USA v. Jacob Kline

Dear Clerk:

Pursuant to Transfer of Jurisdiction of Probationer filed 8/19/2011, the above referenced case has been transferred to your court. Enclosed herewith are certified copies of the transferring document, and docket sheet. Also enclosed are the Information, Judgment, and defendant's payment history.

Please sign and date the receipt portion of this letter and return a copy for our records. Thanks very much for your assistance with this matter. Please contact me at the number below if you have questions or concerns regarding this transfer.

Very Truly Yours,



Wendy Brinley

Deputy Clerk
704-350-7404

enc.

RECEIVED BY: _____ DATE: _____